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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 JOHNNY VANCE ALLEN,

11 Plaintiff,

12 vs.

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14 COUNTY OF SONOMA, a governmental
15 entity; SONOMA COUNTY SHERIFF'S
16 OFFICE, a governmental entity; KYLE
17 PETERSON, a person; TRENT HARDEMAN,
18 a person; LAWRENCE MATELLI, a person;
19 and TWENTY UNKNOWN AGENTS OF THE
20 COUNTY OF SONOMA AND/OR SONOMA
21 COUNTY SHERIFF'S OFFICE,

22 Defendants.

CASE NO.: 4:17-cv-00448-YGR

**ORDER GRANTING MOTION TO DISMISS AND
DENYING TO MOTION TO STRIKE**

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24 The County of Sonoma, Sonoma County Sheriff's Office, Kyle Peterson, Trent Hardeman and
25 Lawrence Matelli (collectively "defendants") filed their Motion to Dismiss on March 30, 2017.
26 (Dkt. No. 16.) Plaintiff Allen filed his responsive brief on April 13, 2017. (Dkt. No. 17.)
27 Defendants filed their reply in support of the motion to dismiss on April 20, 2017. (Dkt. No. 20.)
28 Defendants further requested that plaintiff's allegations regarding violation of equal protection be
stricken. The matter came on for hearing on May 16, 2017.


Having carefully considered the pleadings and the papers submitted on this motion, and the
hearing held on May 16, 2017, for the reasons stated on the record on May 16, 2017, the Court
GRANTS defendant's motion to dismiss. Plaintiff is granted leave to amend and shall file an

1 amended complaint by June 30, 2017. Defendants' motion to strike is **DENIED** as moot.

2 This Order terminates Dkt. No. 16.

3 **IT IS SO ORDERED.**

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6 Dated: May 17, 2017

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8 YVONNE GONZALEZ ROGERS
9 UNITED STATES DISTRICT COURT JUDGE
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